CWP No.987 of 2005.

17.7. 2007 Present : Mr.Ajay Sharma, counsel for the petitioner.

Mr.M.S.Chandel, A.G. with Mr.R.M.Bisht, Dy.A.G.
for respondents.

Sh.Ajay Sharma submits that the petitioner has expired and nobody has approached him to continue with the petition. This petition has been filed claiming the following reliefs:

> "i) That impugned act of respondents in giving short term permits/ small leases of Chamukha quarry in Dehra Sub Division may very kindly be quashed and set aside with directions to the respondents to immediately stop all mining operations being done there contrary to the Act, Rules and Policy without any further delay.
>
> ii)That directions may be issued to the respondents not to issue short term permits/small leases at least till the approval of the Government and till the rates are fixed by the Government.
>
> iii)That directions may be issued to the respondents to give whole of the Chamukha quarry on lease as a whole and not in piecemeal and even the said lease can be allowed by putting auction so that Government Exchequer can be benefited.
>
> iv)That till finalization of grant of lease as a whole, short term permits/small leases as granted may very kindly be ordered to be stopped.
>
> v)Respondents may very kindly be directed to produce the records of the case before this Hon'ble Court.
>
> vi)Any other and further reliefs to which the petitioner is found fit and proper may also very kindly be granted in favour of the petitioner and against the respondents."

The right to sue was not personal to the petitioner and any other person can raise these questions in any subsequent petition.

The petition is, therefore, dismissed as having abated. However, it is made clear that this shall not be treated as a precedent in any other petition where the same question is raised.

In view of the dismissal of the writ petition, CMP No.1916 of 2005 is also dismissed.

(Deepak Gupta),
Judge

July 17, 2007 **(V.K. Ahuja)**
PV **Judge.**